

PROBABLE
REASONS
ASSIGNED
FOR THE
ACT
OF
INDEMNITY

Not being Passed by the

P --- R S.

L O N D O N :

Printed for S. LYNE, at the *Globe* in *Newgate-
street*, and J. TOWERS, in *Compton-Street*,
Sohe.

MDCCXLII.

PROBABLE

ASSASSINATIONS

ASSIGNED

FOR THE

ACT

OF

INDIVIDUALITY

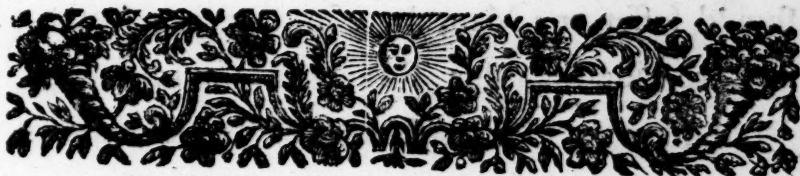
NOT TO BE

PROBABLE

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Printed for S. L. ... at the ... in ...
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INDEX



P R O B A B L E

REASONS, &c.



THE Incertainty and Instability of human Grandeur is so great, that it is next to a Miracle, when a Man supports it for a long Series of Time. The Post of a Prime Minister, in all Nations and at all times, hath been accounted, not only the most incertain of such Grandeur, but the most troublesome to maintain. Is it not then surprizing, that a Nation

tion which boasts so much of Liberty as we do, shou'd suffer one Man, by usurping that Authority, to ride them for Twenty Years together? Well may ye, O *Englishman*! be called Fellows of the Tribe of *Ijachar*; fit for Nothing but to carry Burthens. But the Wonder of this will cease, if you rightly consider the frequent Vicissitudes of your own Tempers; no sooner have you pull'd one down and set up another, than ye grow weary of your new Choice, and immediately fall to picking Holes in his Coat. If a Man displeases ye, down with him! right or wrong it matters not, so he be but down; and were your partial Worshipps to be Judges, you wou'd take another Post upon yourselves, and immediately commence Executioners; Nay, I question whether your *impetuous Equity* wou'd permit you to take Time to pass Sentence even in your own vulgar and prejudic'd Form; but without any other Process than an innumerable Quantity of Oaths and Excrations you wou'd proceed to Condemnation first; Club-Law, wou'd be the Word, let us execute the Criminal first and try him afterwards. But which if you my worthy Masters,

sters, in the same dangerous Situation in regard to your Necks, wou'd chuse to be treated in so ungentleman-like a Manner? — Ye wanted a Change of Hands, and ye have had them, ye wanted a Change of Measures likewise, and don't ye perceive that every Thing is preparing to satisfy your Desires; then cease your Clamours, and impertinent Discourses of Politicks over your Cups; keep to your honest Employments at Home, or if ye must strole out to Taverns and Alehouses, confine your labour'd and self-approv'd Dissertations to Things within your own Sphere; let the best of you study how to ease your Poor's Rate; the Middling Ones of you endeavour to serve his Office of Constable, Scavenger or Headborough, to gain the Approbation of his Superiors; whilst the meanest amongst ye may divert themselves by seeing the Troops embark, or rather not stay grumbling here, but accompany or follow them to do their Country the Justice they have so long been bawling out for. Instead of disturbing honest quiet People in their Beds with roaring thro' the Streets; *Down with the Excise, No Search, No Convention,*

Convention, No Placemen, &c. &c. &c. let 'em carry their obstreperous Valour into *Flanders* and there down with the *French, &c.* Instead of staying here in hopes of making a Holiday to see the E—l of O——d on *Tower Hill*; let them go and bring us home a Marshal of *France*, and then we'll make a Holiday of Triumph for them.

What a Noise and an Uproar hath here been these two or three Days, because forsooth a Bill of In——y is not passed to save one who must own himself a F— to impeach his Master; — one shakes his Head, and cries: Ah! we're still in the same Hole, I don't see that Things are a Jot the better for our late Change of the M——y, not I, — says a second——nor I replies a third: I was in hopes our Taxes wou'd have been lower'd before this, but I pay still the same as ever, and so in my Conscience I think they are likely to continue for ever and a Day. — Ay, ah, cries a fourth, they are still going on in the same Way; here 'tis true they have sent People to *Newgate*, but what of all that? Have they done any thing further? Why you may plainly perceive that Old

B—b laughs in his Sleeve at them still. Then comes in the Suffrage of an old sober Cit, worth at least half a *Plumb*, got by his own Industry, and after two or three extraordinary Whiffs of Tobacco he crowns their Opinions with a Nod of Approbation, and shrugging up his Shoulders, cries : Upon my Word, I believe they are all R ——— s alike. — Why here now we were fed up with the Hopes of having an Act of I ——— y to forgive some of the aiding and abetting Plunderers, that we might have been able to have punish'd the Principal, but you see it was quash'd, I warrant you some of them did not like it for their own Sakes: well ! these are sad Doings, sad Doings ! indeed Neighbours, I remember what an Uproar was made in *Queen Anne's* Days against Bribery, Corruption, and Male Administration, but Lord bless me, the Accusations that were laid then, are nothing to what might be laid now, if we cou'd come at the Truth of Matters ; well, for my Part I give it up, I never expect to see any more honest Doings, whilst I live ; for I think their refusing this Act of In——y, is the last Thing they can

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do to shew that the others shall not have the Liberty they struggle for, so that I think it vain to attempt it any longer : —Ay Neighbour, cries one that overhears honest *Plumb*, tho' far his Inferior in Circumstances, if you are so angry at the Bill of In——y, what do you think of our losing the Insolvent Act, to be sure that must be of great Detriment to Trade, so many useful Subjects to the King and some of them good Members of the Commonwealth, lying rotting in Prison incapable of maintaining themselves or Families; why the Jails are full.—Ay, and let them be, says old *Plumb* a Pack of Rogues, why don't they pay their Debts; I don't desire to get above sixty *per Cent.* for laying out my Money in Trade, and here I have so many rascally Tradesmen and Handicraftsmen run into my Debt, and get into Jail, and there die and never pay me, that 'tis as much as I can do to make both Ends meet; and get forty *per Cent.*—Wou'd you think it, I have above twenty of that kind now in the several Jails in and about *London*, at my Suit; and to tell you the Truth I solicited strenuously that the Bill might not pass.—But what

is all this to the Act of In——y. The Nation has been plunder'd, and had we not better let three or four Rogues escape to punish one? Ah! says old *Slyboots* in the Corner is this your way of arguing Mr. *Plumb*? You solicited against the Insolvent Bill you say to detain a Number of poor perishing Wretches in Prison who thro' Inadvertence or Misfortune have wrong'd you of two or three hundred Pounds, and you are very angry that there is not a free Parliamentary Pardon for Men who have been accessary to even robbing the Nation of as many Millions—I did not think —&c.—And here we may suppose high Words the constant Concomitants of all Disputes being likely to arise, we'll beg leave to quit their Company for a-while, and consider what might seem a Cause of so much Surprise to the old Gentleman, *viz.* The L— refusing to pass an Act of In——y which it may be presumed was calculated to bring *P* and many others that wou'd come in under such and such Restrictions as were thought proper to give Evidence (if I may be allow'd the Expression) against their late Master the E— of O——. In pretending to give Reasons for such

a Refusal, I may perhaps be against the common Cry, and therefore shall be run down before I am fairly heard; doubtless the Refusers had more *co-gent* Reasons for so doing than I can pretend to assign; but if I can any Ways convince my honest Countrymen that they are sometimes prejudiced in Favour of Things which wou'd be of worst Consequence were they carried in the rash Shape the first Heat of their Passion wou'd have them, I shall think it no ingrateful Task I have undertaken; and amongst several which have been Cases mistaken as afore said, I think there is none more fragrant than the late Act of In——y. Had it pass'd in the Shape some Persons wou'd have had it, it wou'd have been one of the most cruel that ever was, much harder and more restrictive than several that popular Prejudice and Clamour have open'd loudly at! It would have been contrary to all Custom and Precedent; for in my humble Opinion no Man can be indemnified from a Crime he never was guilty of, to suppose a Man guilty of Crimes before there is the least Proof against him wou'd be highly injurious to the Public and contrary to Law, Equity,

Equity, Sense, or Reason; but imagine a Person guilty and when you are unable to bring out any Thing that can amount to an Accusation against any one of his Actions, and then in Order to make him a Culprit to have Recourse to the low Subterfuges of pardoning those whom you wou'd as his Agents or Tools in carrying on any base Works or Machinations; is giving such an Opening for any Set of People who may have been concerned in any dirty Dealings to screen themselves by fixing it upon others, that every little Villain has nothing else to do, but to shift his own Crimes on some other, and thereby render him obnoxious to the Justice which screens the Informer, and leaves the Accused without a Plea in his Defence. Is not this hard Usage on the Side of the Person who because the Vulgar have taken it in their Heads to accuse him, he must be culpable right or wrong.

—Suppose a Tradesman should by some Folks be deem'd to be in a declining Way, is it therefore fair to tamper with his Servants to betray him?

Does not every Court of Judicature in the Kingdom, from *Westminster-Hall* even to a petty Bench of

of Justices, disavow and abhor the abominable Practices of tutoring and instructing Witnesses? Are not such Expedients in all Cases whatever condemn'd, and shall it be countenanc'd and upheld by those, who as they give Laws ought likewise to set an Example to the whole Nation? No, Surely, Who then can blame the Noble L— that were against it. If a Man is guilty, let him have a fair Trial, but promising Indemnity to any one concerned, carries with it the Face of a Reward; and especially as he owns himself concerned, he must prove false to his Trust, faithless to the Person whom he wou'd insinuate employ'd him, and perjured by acting contrary to the Oaths he took to qualify him for the Places of Trust which occasion'd so much Confidence to be reposed in him; all this he must do, before he can come forth in Evidence against the Man, who hath been his best Benefactor; and when he does come forth, if we rightly consider the Premises aforesaid, how can any reasonable Man think that he speaks one Word of Truth? He owns he must accuse himself, but notwithstanding that he hath so many,
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and so great Indulgencies allow'd him, it is natural to think from the Texture and Course of human Frailty that where any Odium of a blacker Die than ordinary shall come in Question, though he must necessarily darken his own Character a little, yet the greatest Part of the Shame he will, at the Expence of Truth, shift off on those, whom his hardened Front shall induce him to accuse: In short, it is like advertising a Reward for a Watch or a Ring stole, if one will come in, and make himself an Evidence, and hang his Companion, he shall go Scotfree, and be turn'd out to commit more Robberies. And from the Nature that some People talk of this Affair, one would think that they were discoursing of a few *Middlesex* Justices who were striving to make a Man turn Evidence. — Now the pernicious Consequences of these Things are too well known to all the World to need Repetition. The delusive Hopes of saving themselves have occasion'd several to injure even the Innocent, Brother hath even hang'd Brother; and, I think, there was once an Instance of a Man's impeaching his own Father

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ther: In short, it is giving a Licence to the most enormous Proceedings that can be; and scarce any Man, tho' ever so honest, can be safe; especially, if these Gentlemen, after being made *Reftus in Curia*, should be allow'd, upon their single Evidence to call that Honesty in Question.

BESIDES, as I observed before, I never heard of an Act of Ind—ty being made for any Persons before they were convicted, or at least had done Crimes so openly, that there only wanted their being brought forth to meet a Conviction: Thus, at the Restoration of King Charles II, an Act of Indemnity was pass'd, because greatest Part of the Nation was involved in the Capital Crime of Rebellion, and those who were more remarkably so than others, were excepted in that Act: But here I take the Case to be quite different; here is only a Supposition of Guilt in a Minister. He hath long been the Butt of public Resentment who would be all glad to behold his Downfall; but because he hath carried himself so uprightly, or cunningly

others, and this wou'd be opening the Flood-gates to let those Torrents of Scandal, Censure and Petulance, which he has smil'd at unheeded for some Years past, upon him at once, every one wou'd averr what he had formerly said, or even furmis'd to be true; and the supple Flatterers, who had buzz'd round him whilst in Power, wou'd turn their Sycophant Smiles and senseless Adulatives into Sneers at his fancied approaching Fall, and Invectives against those very Transactions which a Year or two ago they applauded to the Skies.

A R E we then become so regardless of *British* Honour as to give it up a Prey to such a Set of Cormorants, to prey upon at Pleasure; no, he is now remov'd to a more exalted Station than he possessed formerly, if his Enemies cou'd prove him faulty he has now the P—rs of the antientest Blood in the Land to examine his Conduct; his M— so far from suspecting his Integrity, has heaped Honours upon him, which are Rewards fit for such a Prince to bestow, and a Subject who so well deserves them to receive

ceive with Joy : His Services have equall'd him with the greatest, and shall every puny Insect arraign the Eagle's Flight.

THE Vulgar are indeed sometimes in the right, but popular Prejudices and Clamours should never bias the Wise ; and, I think, it is at least a negative Proof of this Nobleman's good Conduct, that, notwithstanding the strictest Scrutinies of his most inveterate Enemies, back'd by the Insolence, Outrages and vociferous Orations of the Mob, they have never been able to accuse him of the least Crime, beyond what their own bare Supposition has led them. This, indeed, was their *Coup d'Eclat*, when the Person who was employ'd as Agent under him, in one of his late high and honourable Posts, was brought to be examin'd touching his Conduct ; he truly refuses to answer, for what Reason ? Why, because, says he, I shall accuse myself : Well, here is strait an Outcry rais'd that the E—l of O—d must be guilty, for Mr. *Paxton* refuses to answer, lest he should accuse himself : He does so ; but he

does not say, because he shall accuse the E—l; must therefore his Expression be tortur'd to a Meaning which it could never convey? Would not every human goodnatur'd Man more reasonably imagine, that his Reason for continuing silent was because he himself had made too ill an Use of the Power intrusted in his Hands: And therefore as he could not answer the Interrogatories propos'd to him, without discovering Facts that must condemn his past Conduct, he chuses to make use of the Privilege the Law allows him, which obliges no Man to say any Thing upon Examination to his own Prejudice: Is not this conjecturing more like a Man in Behalf of his Fellow Creature than those brute Reflections and Insinuations, of which many in this Town, who wear the Appearance of the human Species, are to full?—Well! Intreaties, Threats, and even Confinement is made use of to prevail on this Gentleman to accuse himself, in Hopes that something might be pick'd out of such an Accusation, which might give Grounds for one of a higher Nature; but when all these fail'd, a Scheme was found out which promis'd undoubted

ted Success : Let us, say they, excuse Mr. *Paxton* all his Crimes, if we can but fix one upon the E—l of O—d ; but the Veil was too thin spread not to be seen through, and the worthy P—rs accordingly put their Negative upon it, by a very great Majority.

THE Discontented, who waited with the same Impatience as the *Cornish* do by the Seashore, when they see a Ship come in, to make a Wreck of her, 'till they could see the Down-fal of this great Man, are not sparing in their Reflections on those honourable Personages who have stepp'd into the Breach, and prevented an Inundation of unprecedented Proceedings ; there are not indeed, say they, A DOZEN made all at once, but they are made pretty fast too. Mistaken Wretches ! unknowing the Dignity they traduce, their slanderous Tongues alike calumniate the Palace and the Cottage. Honours bestow'd on real Merit for long and faithful Services may be blazon'd in the same Rank as the most ancient Train of noble Ancestry. The Man that partakes of those Honours is not answerable

swerable to every grumbling Farmer, or deluded discontented Mechanic that takes it in his Head to canvass and censure Actions, of which he neither knows the Tendency, nor the true Motives or Source : It is a tacit Kind of arraignment M—y itself, by cavilling at the Behaviour of those, who, by such Honours conferr'd, become more immediately it's Representatives : As if that Fountain of Wisdom, which the Law of our Land allows cannot err, would grace Infamy with Dignity, or add it's Titles to those who were Enemies to Truth and Justice.

ALL the People have to do, if they are injur'd, is to complain : They have done so—Redress is granted them, and practising as fast as possible ; but as if not content with that, they urge their headstrong Vengeance to a farther Pitch. If nothing will satisfy them but Tumults and Bloodshed, which is what they seem most earnestly to wish and desire ; it is not then highly necessary, and a Duty incumbent upon every one, who is so dignified, to protect the Honour

Honour of an injur'd P—r against any under-hand Ways at least under Pretence of coming at Justice.

IF, therefore, as it appears upon the Whole, the E—l of O—d wears his distinguish'd Honours as a Mark of many Years spent in the Service of his King and Country, it becomes every true *Briton* to look back to the Time, when he so gloriously stood forth in their Cause. It further becomes them to view with what steady Adherence he hath served the two succeeding Monarchs : And then, who can refuse to wish that those Honours may continue to grace him till good old Age shall bear him hence in Quiet. And as the noble L—s, who have gladly received him amongst them, have doubtless concluded maturely, and with the most consummate Deliberation, that such an A—t of I—n—y must be attended with the ill Consequences aforesaid, and many more which our weak and impolitick Reason cannot fathom ; Let us not repine, but join with them in thinking

ing it a wrong Proceeding; especially at such a
Juncture ; and that it was the Duty of every
one in that Noble House to put his NEGATIVE
upon such a destructive Bill.

F I N I S.

